

District of Oregon
 Corresponds to AO 241
 Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2254
 (Rev. 7/17)

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EXHAUSTION OF STATE REMEDIES
 DIRECT APPEAL

9. Did you directly appeal from the judgment of conviction?

☒ Yes

☐ No

a. Name of court: Oregon Court of Appeals -

b. Docket or case number (if known): A163115

c. Result: ~~Reversed~~ Affirmed Conviction

d. Date of result and citation (if known): 11-8-17

e. Grounds raised:
10-2-Jury

10. Did you seek further review of the decision on appeal by a higher state court?

☐ Yes

☒ No

a. Name of court: N/A

b. Docket or case number (if known): N/A

c. Result: N/A

d. Date of result and citation (if known): N/A

e. Grounds raised:
N/A

11. Did you file a petition for certiorari in the United States Supreme Court?

☐ Yes

☒ No

a. Name of court: N/A

b. Docket or case number (if known): N/A

c. Result: N/A

d. Date of result and citation (if known): N/A

e. Grounds raised:
N/A

12. If you did not directly appeal from the judgment of conviction, explain briefly why you did not:

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n/a

POST-CONVICTION RELIEF

13. Did you file a petition for state post-conviction relief?

☐ Yes

☒ No

a. Name of court: n/a

b. Docket or case number (if known): n/a

c. Nature of proceeding: n/a

d. Did you receive an evidentiary hearing?

☐ Yes

☒ No

e. Result: n/a

f. Date of result and citation or case number (if known): n/a

g. Grounds raised:
n/a

14. Did you appeal the result of your state post-conviction case?

☐ Yes

☒ No

a. Name of court: n/a

b. Docket or case number (if known): n/a

c. Result: n/a

d. Date of result and citation (if known): n/a

e. Grounds raised:
n/a

15. Did you seek further review of the decision on appeal by a higher state court?

☐ Yes

☒ No

a. Name of court: n/a

b. Docket or case number (if known): n/a

c. Result: n/a

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d. Date of result and citation (if known): N/A

e. Grounds raised:
N/A

16. If you did not appeal from the adverse decision in your state post-conviction case, explain briefly why you did not: N/A

GROUND FOR RELIEF

17. For this petition, state *concisely* every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

CAUTION: In order to proceed in the federal court, normally you must exhaust (use up) your available state court remedies on each ground on which you request action by the federal court. Also, if you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.

For your information, the following is a list (a-j) of the most frequently raised grounds for relief in habeas corpus proceedings. Each statement preceded by a letter constitutes a separate ground for possible relief. You may raise grounds other than those listed.

- a. Conviction obtained by plea of guilty that was unlawfully induced or not made voluntarily with understanding of the nature of the charge and the consequences of the plea.
- b. Conviction obtained by use of coerced confession.
- c. Conviction obtained by use of evidence gained pursuant to an unconstitutional search and seizure.
- d. Conviction obtained by use of evidence obtained pursuant to an unlawful arrest.
- e. Conviction obtained by a violation of the privilege against self-incrimination.
- f. Conviction obtained by the unconstitutional failure of the prosecution to disclose to the defendant evidence favorable to the defendant.
- g. Conviction obtained by a violation of the protection against double jeopardy.
- h. Conviction obtained by action of a grand or petit jury that was unconstitutionally selected and impaneled.
- i. Denial of effective assistance of counsel at trial or on appeal.
- j. Denial of right of appeal.

- A. Ground One:
Illegal use of 10-2 Jury

Supporting FACTS (state *briefly* without citing cases or law):

RECENT SUPREME COURT Ruling AGAINST LA. STATE V. RAMOS.

- B. Ground Two:
NA

Supporting FACTS (state *briefly* without citing cases or law):

NA

- C. Ground Three:
NA

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Supporting FACTS (state *briefly* without citing cases or law):

NA

D. Ground Four:

NA

Supporting FACTS (state *briefly* without citing cases or law):

NA

OTHER INFORMATION

18. Please answer these additional questions about the petition you are filing:

a. Have all grounds for relief that you have raised in this petition been presented to the highest state court having jurisdiction?

☒ Yes

☐ No

If your answer is "No," state which grounds have not been so presented and give your reason(s) for not presenting them:

NA

b. Is there any ground in this petition that has not been presented in some state or federal court? If so, indicate which ground or grounds have not been presented, and state your reasons for not presenting them:

NO

19. Do you have any petition or appeal now pending (filed and not decided yet) in any court, state or federal, for the judgment you are challenging here?

☐ Yes

☒ No

If the answer is "Yes," state the name and location of the court, the docket or case number, the type of proceeding, and the issues raised:

NA

20. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:

a. At preliminary hearing:

Phil Studenberg

b. At arraignment and plea:

SAME

c. At trial:

SAME

d. At sentencing:

PRO-SE

e. On appeal:

DAVID FERRY

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f. In any post-conviction proceeding:

N/A

g. On appeal from any adverse ruling in a post-conviction proceeding:

N/A

21. Have you previously filed any type of petition, application, or motion in a federal court regarding the conviction that you challenge in this petition?

☐ Yes

☒ No

a. If yes, in what court was the prior action filed? N/A

b. What was the prior case number? N/A

c. Was the prior action: ☐ Decided on the merits, or
☐ Dismissed on procedural grounds

d. Date of decision: N/A

e. Are there any issues in this petition raised in the prior petition?

☐ Yes

☒ No

f. If the prior case was denied on the merits, has the Ninth Circuit Court of Appeals given you permission to file this successive petition?

☐ Yes*

☒ No

*If the answer is "Yes," you must attach a copy of the order received from the Ninth Circuit Court of Appeals.

22. Do you have any future sentence to serve after you complete the sentence imposed by the judgment under attack?

☒ Yes

☐ No

a. If so, give the name and location of the court that imposed the sentence to be served in the future:

Klamath Circuit

b. Give the date and length of sentence to be served in the future:

90 days (previously concurrent)

c. Have you filed, or do you contemplate filing, any petition attacking the judgment that imposed the sentence to be served in the future?

☒ Yes

☐ No

23. **TIMELINESS OF PETITION:** If your judgment of conviction became final over one year ago, you must explain why the one-year statute of limitations as contained in 28 U.S.C. § 2244(d) does not bar your petition:

N/A

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24. Date you are mailing (or handing to correctional officer for mailing) this petition to the Court:*

5/14/20-Scan

WHEREFORE, petitioner prays that the Court will grant such relief to which he or she may be entitled in this federal petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 by a person in state custody.

DLO-SE
Signature of Attorney (if any)

DECLARATION UNDER PENALTY OF PERJURY

I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

5-1-20
Date

Matt Zant
Signature of Petitioner

* As noted in the instructions to this form (at #8), if you are incarcerated at Snake River Correctional Institution, you must comply with the requirements of the E-Filing Pilot posted at the institution and set forth in Standing Order 2017-9.

Accordingly, you must submit your filings in this case to Snake River Correctional Institution staff for scanning and electronic submission, instead of mailing the filings using the U.S. Postal Service. Please indicate the date you submitted this petition to Snake River Correctional Institution staff for scanning and electronic submission, if you are incarcerated there.